

1 **LEWIS BRISBOIS BISGAARD & SMITH LLP**

ALEX A. GRAFT, SB# 239647

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5 Attorneys for Defendant

ROBERT N. WEAVER, ESQ.

8 UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

11 CARL A. WESCOTT,

12 Plaintiff,

13 vs.

14 FREDERICK C. FIECHTER, IV;

DAVID M. ZEPP, ESQ.;

15 ROBERT N. WEAVER, ESQ. + DOES 1
through 25,

16 Defendants.

Case No. CV22-4288-VC

**DEFENDANT ROBERT N. WEAVER,
ESQ.'S NOTICE OF MOTION AND
MOTION FOR MANDATORY
ATTORNEY'S FEES PURSUANT TO
CODE OF CIVIL PROCEDURE
SECTION 425.16 IN AMOUNT NO LESS
THAN \$15,750**

Date: January 19, 2023

Time: 10:00 a.m.

Courtroom: 4, 17th Floor

18 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

19 **PLEASE TAKE NOTICE** that on January 19, 2023, at 10:00 a.m., or as soon thereafter
20 as the matter can be heard in Courtroom 4, 17th Floor of the above-entitled courthouse, located at
21 United States District Court, Northern District of California, 450 Golden Gate Avenue, San
22 Francisco, CA 94102, Defendant ROBERT N. WEAVER, ESQ. ("Attorney Weaver") will, and
23 hereby does, move the Court for an award of mandatory attorney's fees pursuant to Cal. Code of
24 Civil Procedure section 425.16(c) against Plaintiff CARL A. WESCOTT ("Plaintiff") in the
25 amount of \$15,750, or such other amount as the Court deems reasonable, as prevailing party,
26 pursuant to Code of Civil Procedure section 425.16, subdivision (c).

27 This motion is based upon this Notice of Motion, the accompanying Memorandum of
28 Points and Authorities, the accompanying Declaration of Alex A. Graft, and on all pleadings and

1 papers on file in this action.

2
3 DATED: December 14, 2022

LEWIS BRISBOIS BISGAARD & SMITH LLP

4
5 By: /s/ Alex A. Graft

6 ALEX A. GRAFT

7 Attorneys for Defendant

8 ROBERT N. WEAVER, ESQ.